

For the Nuclear Regulatory Commission.

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NUCLEAR REGULATORY COMMISSION

Commonwealth Edison Company; Notice of Partial Denial of Amendments to Facility Operating Licenses and Opportunity for Hearing

[Docket Nos. STN 50-454, STN 50-455, STN
50-456 AND STN 50-457]

The U.S. Nuclear Regulatory Commission (the Commission) has partially denied a request by Commonwealth Edison Company (ComEd, the licensee) for amendments to Facility Operating License Nos. NPF-37, NPF-66, NPF-72 and NPF-77, issued to the licensee for operation of the Byron Station, Unit Nos. 1 and 2, located in Ogle County, Illinois and Braidwood Station, Unit Nos. 1 and 2, located in Will County, Illinois. Notice of Consideration of Issuance of the amendments was published in the **Federal Register** on February 10, 1997 (62 FR 6016).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to allow the licensee to take credit, on a temporary basis, for soluble boron in the spent fuel storage pool water in maintaining an acceptable margin of subcriticality. However, reference to the Westinghouse document CAC-96-248, "Byron and Braidwood Spent Fuel Rack Criticality Analysis with Credit for Soluble Boron" was included in the request. This document is not based on the NRC-approved Westinghouse methodology for soluble boron credit, as given in WCAP-14416-NP-A dated November 1996. The proposal to reference the use of an unapproved methodology is not acceptable and is, therefore, denied.

The NRC staff has concluded that part of the licensee's request can not be granted. The licensee was notified of the Commission's partial denial of the proposed change by a letter dated April 2, 1997.

By May 9, 1997 the licensee may demand a hearing with respect to the partial denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene. A request for hearing or petition for leave to intervene must be filed with the

Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date.

A copy of any petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Michael I. Miller, Esquire; Sidley and Austin, One First National Plaza, Chicago, Illinois 60603, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated November 5, 1996, as supplemented February 27 and March 30, 1997, and (2) the Commission's letter to the licensee dated April 2, 1997.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at: For Byron, the Byron Public Library District, 109 N. Franklin, P.O. Box 434, Byron, Illinois 61010; for Braidwood, the Wilmington Public Library, 201 S. Kankakee Street, Wilmington, Illinois 60481.

Dated at Rockville, Maryland, this 2nd day of April 1997.

For the Nuclear Regulatory Commission.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-461]

Illinois Power Co.; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-62, issued to Illinois Power Company (the licensee), for operation of the Clinton Power Station, Unit 1 (CPS), located in DeWitt County, Illinois.

As described in CPS Licensee Event Report 94-005, the degraded voltage relays at CPS and their setpoints are not sufficient to ensure proper operation of all Class 1E equipment, contrary to the current licensing basis for CPS. As

interim corrective action, the licensee installed an undervoltage alarm for the Division 1, 2, and 3, 4.16-kV buses and established contingent operator actions in order to minimize the potential that the Class 1E loads would receive inadequate voltage for proper operation. Subsequent licensee review of these interim administrative controls has concluded that, although the use of compensatory administrative controls reduces the risk associated with a degraded voltage condition, reliance on the interim administrative controls can potentially result in a malfunction of equipment important to safety of a different type than previously evaluated in the CPS Updated Safety Analysis Report and therefore, constitutes an unreviewed safety question. In addition, the licensee has concluded that the interim administrative controls can result in a small reduction in the margin of safety as defined in the CPS technical specifications.

The proposed amendment, requested by the licensee in their letter dated April 1, 1997, would modify Technical Specification Table 3.3.8.1-1, "Loss of Power Instrumentation." The proposed change requires the interim administrative controls to be maintained to minimize the potential that the Class 1E loads would receive inadequate voltage in the event of a degraded voltage condition. These controls are to be maintained until the licensee completes planned modifications for upgrading the degraded voltage protection instrumentation and distribution system for all three divisions of safety-related AC power. The new interim administrative controls primarily consist of system planning controls on the voltage of the 345-kV offsite grid, notification of plant operators under offsite grid conditions that may result in a degraded voltage condition if CPS tripped off-line, and utilizing an installed degraded voltage alarm that will prompt operators to take action to transfer the 4.16-kV buses to their associated diesel generators in the event voltage is not adequate to ensure proper operation of the Class 1E loads.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By May 9, 1997, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request